

Message Text

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ACTION NEA-10

INFO OCT-01 EUR-12 ISO-00 CIAE-00 DODE-00 PM-05 H-01
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AMEMBASSY KABUL
AMCONSUL KARACHI
AMCONSUL LAHORE
AMEMBASSY LONDON
AMEMBASSY NEW DELHI
AMEMBASSY PARIS
AMEMBASSY TEHRAN
CINCPAC

C O N F I D E N T I A L ISLAMABAD 10085

CINCPAC FOR POLAD

E.O. 11652: GDS
TAGS: PINT, PK
SUBJECT: BHUTTO'S BAIL REVOKED: PAKISTAN CONTINUES TO DRIFT

1. THE LAHORE HIGH COURT OCTOBER 10 CANCELLED THE BAIL
GRANTED TO FORMER PM BHUTTO IN THE KASURI MURDER CASE.
BHUTTO WAS REMANDED TO JUDICIAL CUSTODY. IN A LENGTHY
JUDGEMENT, THE COURT DEALT WITH MOST OF THE ISSUES LEFT
IN DOUBT AFTER THE FIRST HEARING ON THE CASE. THE JUSTICES
HELD THAT THE COURT WAS A LEGALLY CONSTITUTED BODY
AT THE INTIAL HEARING AND THAT THERE "APPEAR REASONABLE
GROUNDS FOR BELIEVING THAT MR. BHUTTO HAD BEEN GUILTY OF
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AN OFFENSE PUNISHABLE BY DEATH OR IMPRISONMENT FOR LIFE."
THE REVOCATION OF BAIL WILL NOT AFFECT BHUTTO'S PRESENT
LIFE-STYLE, AS HE REMAINS IN CUSTODY ON THE CHARGES OF
CORRUPTION AND MISUSE OF POWER BROUGHT BY THE MARTIAL LAW
ADMINISTRATION (MLA). THE MLA IS UNDOUBTEDLY RELIEVED,
HOWEVER, TO HAVE THE FORMER PM NOW DETAINED BY THE CIVIL
COURTS RATHER THAN BY THE MILITARY.

2. ARGUMENTS CONTINUED OCTOBER 11 IN THE HABEAS CORPUS ACTION BROUGHT BY BEGUM BHUTTO AGAINST THE MLA'S IMPRISONMENT OF HER HUSBAND. IN A 31-PAGE WRITTEN STATEMENT, GOVERNMENT COUNSEL, A.K. BROHI, SAID THE "DOCTRINE OF NECESSITY FULLY JUSTIFIED" THE JULY 5 MILITARY TAKEOVER. HE LISTED SPECIFIC CHARGES AGAINST THE FORMER PM INCLUDING MISUSE OF PUBLIC FUNDS, THE IMPORTATION OF LUXURY GOODS FOR HIS PERSONAL USE BY PAKISTAN'S EMBASSIES ABROAD (INCLUDING WASHINGTON), AND THE INTENTION TO FOMENT DISRUPTION AND ASSASSINATION. BROHI DESCRIBED THE REGIME AS A "MAFIA TYPE ORGANIZATION WHERE TMZ DISTINCTION BETWEEN PRIVATE PROPERTY, PUBLIC PROPERTY AND BHUTTO'S PROPERTY WAS FAST VANISHING." BHUTTO'S COUNSEL WILL SUBMIT A WRITTEN REPLY BY OCTOBER 17.

3. COUNTRY REMAINS CALM LOCAL AND FOREIGN CORRESPONDENTS PICKED UP RUMORS BEFORE OCTOBER FIRST OF STREET VIOLENCE SCHEDULED FOR OCTOBER 10 BY "PPP ELEMENTS." THE RUMOR WAS CITED BY CHIEF MARTIAL LAW ADMINISTRATOR (CMLA) GENERAL ZIA IN A DINNER CONVERSATION OCTOBER 6 WITH THE BBC CORRESPONDENT MPROL CT) AS ONE REASON ELECTIONS WERE INDEFINITELY POSTPONED. NO DISTURBANCES HAVE OCCURRED. THERE HAS ALSO BEEN A SPATE OF TRAIN DERAILMENTS AND MINOR RAILWAY SABOTAGE. OFFICIAL REPORTS OF ONE INCIDENT DID MENTION THE DISCOVERY OF PPP BANNERS AND SLOGANS NEAR CONFIDENTIAL

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THE SCENE OF THE ACCIDENT, BUT THE PPP WAS QUICK TO DENY THE IMPLICATION THAT THEY WERE INVOLVED IN THE AFFAIR.

4. THE PAKISTAN NATIONAL ALLIANCE (PNA) CENTRAL COUNCIL MET IN LAHORE OCTOBER 9 AND CALLED ON THE MLA TO PUBLICLY ANNOUNCE A DATE FOR THE NEW ELECTION. WHILE ALL THE LEADING LIGHTS IN THE ALLIANCE PAID TRIBUTE TO THE "NEVER STRONGER" UNITY OF THE COALITION, MANY SEE THE PNA AS BADLY FLOUNDERING. TEHRIK LEADER ASGHAR KHAN, RUMORED TO BE A PRIME CANDIDATE TO LEAD A BREAK-AWAY, WAS QUOTED AS SAYING THAT "HE COULD FLY IN FORMATION OR HE COULD FLY ALONE." OBSERVERS SUGGEST THAT WITH BHUTTO IN JAIL AND ELECTIONS POSTPONED, THE PMX HAS RUN OUT OF ISSUES, AND THAT THE PASSIONS WHICH BROUGHT PEOPLE INTO THE STREETS IN SUPPORT OF THE PNA AFTER THE MARCH POLLS HAVE DISSIPATED. AFTER A HEADY PERIOD DURING THE EARLY DAYS OF MARTIAL LAW, THE PNA HAS LOST THE INITIATIVE AND IS NOW FORCED TO PLAY A REACTIVE ROLE ON THE POLITICAL STAGE-BE IT REACTING TO BEGUM BHUTTO'S CALL FOR REVOLUTION OR THE "ACCOUNTABILITY PROCESS" TOUTED BY CMLA ZIA.

5. THE PPP CENTRAL COUNCIL MET IN LAHORE OCTOBER 10.

THERE HAVE BEEN NO CLEAR INDICATIONS OF WHICH COURSE THE PARTY WILL TAKE. SECRETARY GENERAL OF THE PPP MAULANA KAUSER NIAZI HAS STRENGTHENED HIS POSITION AS THE PARTY'S PRINCIPAL SPOKESMAN. NIAZI TOLD THE BBC CORRESPONDENT THAT HE HAD TO FLY TO KARACHI LAST WEEK TO PREVENT BEGUM BHUTTO FROM LAUNCHING "THE REVOLUTION."

6. RUMORS OF A NATIONAL GOVERNMENT, OR A NATION ADVISORY COUNCIL CONTINUED TO BE BANDIED ABOUT BY DIPLOMATS, THE PRESS, AND PARTY WORKERS. BOTH THE PPP AND THE PNA HAVE DENIED ANY DESIRE TO BE PART OF SUCH A BODY AND ZX SEE LITTLE ADVANTAGE TO EITHER OF THEM FROM BEING CLOSELY ALLIED WITH THE MILITARY AT THIS POINT. THE ISSUE WILL PROBABLY ARISE AGAIN WHEN CMLA ZIA MEETS WITH PARTY LEADERS
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OCOTBER 12.

7. THE MLA CONTINUES TO RATTLE ALONG WITHOUT MUCH APPARENT SMRETHOUGHT. A VISITING TEAM OF BRITISH TELEVISION JOURNALISTS CAME AWAY FROM A DINNER WITH ZIA OCOTBER 6 AMAZED AT HIS NAIVETE. DECISION MAKING IN THE MLA (A TOPIC WE INTEND TO COVER IN DETAIL SEPTTEL) CONTINUES TO BAFFLE POLITICAL OBSERVERS. CMLA ZIA APPEARS TO RELY UPON HIS "SIMPLE SOLDIER" INSTINCTS AND THE ADVICE OF HIS CORPS COMMANDERS AND SEVERAL SENIOR CIVIL SERVANTS.
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